

TAB 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

FORGENT NETWORKS, INC. §

Plaintiff, §

v. §

ECHOSTAR TECHNOLOGIES §

CORPORATION, et al., §

Defendants. §

6:06-CV-208

VERDICT FORM

In answering these questions, you are to follow all of the instructions I have given you in the Court's Charge.

I. Invalidity

Did EchoStar prove by clear and convincing evidence that the listed claims of the '746 patent are invalid for any of the following reasons?

Answer "Yes" or "No" for each listed claim and each invalidity claim:

	A. Lack of Adequate Written Description	B. Anticipation by Prior Art	C. Obviousness
Claim 1	<u>YES</u>	<u>YES</u>	<u>YES</u>
Claim 2	<u>YES</u>	<u>YES</u>	<u>YES</u>
Claim 3	<u>YES</u>	<u>YES</u>	<u>YES</u>
Claim 4	<u>YES</u>	<u>YES</u>	<u>YES</u>

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

MAY 21 2007

DAVID J. MALAND, CLERK

BY
DEPUTY

[Signature]

2:50pm

If you found that EchoStar did not prove that at least one claim of the '746 Patent was invalid, answer the following questions. Otherwise, do not answer the following questions.

II. Willfulness

Did Forgent prove by clear and convincing evidence that EchoStar's infringement was willful?

Answer "Yes" or "No" _____

III. Damages

What sum of money, if paid now in cash, do you find should be awarded to Forgent as damages adequate to compensate for EchoStar's infringement?

Amount: \$ _____

Signed this 21 day of May, 2007:

JURY FOREPERSON